

REMARKS

This paper is in response to the Office Action of January 26, 2004. The due date for response extends to May 26, 2004, with a one month extension of time, which is hereby petitioned for.

The Examiner is thanked for the telephone conference of April 26, 2004, in which the merits of the obviousness double patenting rejection. The Applicant pointed out that the gimbal is in the wafer carrier of the pending claims, while the gimbal as defined in U.S. Patent 6,511,368 (the '368 patent) is for the "pad." Even though the '368 patent has claims in means plus function format, the claims must be read without injecting the specification into the analysis. Although, even if the specification of the '368 patent were used to interpret the "means" elements, the gimbal means is for holding a pad, not a wafer. Consequently, the suggestion put forth by the claims of the '368 patent would not render the pending claims obvious.

In the discussion with the Examiner, the Applicant's representative explained that prior amendments were made to the claims, so that the words for holding a wafer further distinguished the teachings of the '368 patent, which teaches to hold a pad. The Examiner noted that the distinction would be more clear if the body of the claims were amended along the same lines as the prior amendments to the preamble. The Applicant has considered this suggestion, and therefore, further clarifying amendments were made to the independent claims. Accordingly, the claims now clearly specify that the wafer carrier holds a wafer to be tilted about a predefined gimbal point. This amendment was made to independent claim 1, but similar amendments were also made to independent claims 11 and 19.

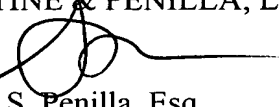
Analysis of an obviousness rejection is limited to the *claims* (MPEP 804 III). Consequently, it is respectfully submitted that the '368 patent *claims* cannot be said to render the claims of the present invention, as amended, obvious.

In view of the foregoing, the Applicant respectfully requests that the clarifying amendments be entered and the rejection be withdrawn.

A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. LAM2P228). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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